



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

6	UNITED STATES OF AMERICA	)	Magistrate Case No.: 08MJ8520
7	Plaintiff,	)	COMPLAINT FOR VIOLATION OF
8	v.	)	21 U.S.C. § 952 and 960
9		)	Importation of a Controlled
10	Moises LARA-Ibarra,	)	Substance (Felony)
11	Defendant.	)	"AMENDED"

The undersigned complainant being duly sworn states:

That on or about June 7, 2008, within the Southern District of California, defendant Moises LARA-Ibarra did knowingly and intentionally import approximately 21.88 kilograms (48.33 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

*[Signature]*  
DARYL CHRISTENSEN  
Special Agent  
U. S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11<sup>th</sup>  
DAY OF JUNE 2008.

*[Signature]*  
JAN M. ADLER  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Moises LARA-Ibarra

4 STATEMENT OF FACTS

5 The Complaint and Statement of Facts is being amended to  
6 include additional packages of marijuana found on June 8, 2008.

7 On June 7, 2008, at approximately 1035 hours, Moises LARA-  
8 Ibarra entered the United States from the Republic of Mexico at the  
9 Calexico West Port of Entry. LARA-Ibarra was the driver, sole  
10 occupant and registered owner of a 2007 Honda Accord bearing Baja  
California, Mexico license AHG6049.

11 At primary inspection, LARA-Ibarra gave a negative Customs  
12 Declaration and presented a valid Mexican passport with a valid  
13 United States B1/B2 Visa to Customs and Border Protection Officer  
14 (CBPO) L. Parker. The vehicle was referred to secondary inspection  
15 after CBPO Parker received an Automated Targeting System (ATS) hit  
16 when he entered the license plate.

17 At secondary inspection, LARA-Ibarra again gave a negative  
18 Customs Declaration to CBPO S. German. During routine secondary  
19 questioning, LARA-Ibarra stated that he was on his way to pick up  
20 his grandmother in Calexico. CBPO S. Barela utilized his Narcotic  
21 Detector Dog and an alert was given to the area of the rocker  
22 panels.

23 Further search of the vehicle resulted in the discovery of a  
24 total of fourteen (14) packages in fabricated compartments in the  
25 rocker panels of the vehicle. A presumptive chemical test  
26 indicated the contents of these packages to be marijuana. The  
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1 total weight of the fourteen (14) packages was approximately 14.90  
2 kilograms (32.78 pounds).

3  
4 LARA-Ibarra was advised of his rights per Miranda, which he  
5 acknowledged and agreed to be interviewed. LARA-Ibarra stated that  
6 he was the owner of the vehicle for approximately three months, but  
7 that he had registered it about one month prior. LARA-Ibarra, who  
8 stated his occupation as a lawyer, claimed that he had received the  
9 vehicle as partial payment for defending two organized crime  
10 members on drug charges in Mexico. LARA-Ibarra further stated that  
11 he was on his way to home Town Buffet in Calexico to pick up his  
12 girlfriend.

13 Computer queries by SA Christensen showed that the vehicle had  
14 previously been subject to intensive inspection and search by a  
15 Narcotic Detector Dog since it was registered to LARA-Ibarra on May  
16 2, 2008 in Baja California, Mexico.

17 On June 8, 2008, Customs & Border Protection officers  
18 discovered eight (8) additional packages concealed in the Honda  
19 Accord. The package contained a green leafy substance which field  
20 tested positive for the presence of marijuana. The additional  
21 package contained 6.98 kilograms (15.35 pounds) of marijuana.

22 The total weight of the twenty-two (22) packages contained  
23 21.88 kilograms (48.33 pounds) of marijuana.  
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